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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/396,088 02/28/95 KOIZUMI

J 216110/90058

EXAMINER

GUARRIELLO, J

ART UNIT

PAPER NUMBER

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NINTH FLOOR  
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1100 NEW YORK AVENUE NW  
WASHINGTON DC 20005-3918

15M1/0119

# 26

1511

DATE MAILED:

01/19/96

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on Sept. 25, 1995  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice of Draftsman's Patent Drawing Review, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, PTO-152.
5.  Information on How to Effect Drawing Changes, PTO-1474.
6. \_\_\_\_\_

Part II SUMMARY OF ACTION

1.  Claims 13, 16, 17, 19, 22-24 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims 14 have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 13, 16, 17, 19, 22-24 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).

12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

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15.

Examiner acknowledges paper #25 of September 25, 1995.

16.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

17.

Claims 13, 16, 17, 19, 22-24 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"polarization" is indefinite. Clarify. The body of the data suggests "polymerization" not polarization.

"heat treated" is indefinite. Specify temperatures range or temperature data which clarifies the generic term "heat". "treated" by what means? Specify art recognized values of techniques of treatment or modification or change in melt index or viscosity parameters.

18.

Claims 13, 16, 17, 19, 22-24 are rejected under 35 U.S.C. § 103 as being unpatentable over Takimoto et al. 4,761,333 in view of JP 60-92345.

Rejection is maintained.

Applicant's arguments have been carefully reviewed and considered but Takimoto suggests polyvinyl chloride resin and

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phthalic acid ester. Whereas JP '345 suggests vinyl chloride which encompasses the polymerization degree with phthalate ester and thermoplastic. The degree of polymerization of the vinyl chloride is 1500 or more which encompasses the claimed range. It still would be obvious to the skilled artisan to optimize the components. Furthermore, obviousness may exist although teachings relied upon may be disclosed in art as non preferred or unsatisfactory for the intended purpose". All disclosures must be evaluated for what they fairly teach one of ordinary skill in the art.

19.

Claims 13, 16, 17, 19, 22-24 are rejected under 35 U.S.C. § 103 as being unpatentable over JP 60-92345 in view of JP 53-108454.

Applicant's arguments have been carefully considered and reviewed but they are not deemed to be persuasive because JP '345 suggests vinyl chloride with a polymerization degree of 1500 or more which is in the claimed range.

It still would be obvious for the skilled artisan to produce the claimed steering wheel pad and optimize without some clear criticality of components demonstrated. Request is made for complete translation of JP 52-18454.

Examiner acknowledges translation of JP 92345.

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20.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL.** See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

21.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Guarriello or Paul Michl, SPE whose telephone number is (703) 308-3209 or 2451; Fax: 305-5433.



Guarriello:css  
January 19, 1996



PAUL R. MICHL  
SUPERVISORY PATENT EXAMINER  
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